

54-8a-5 Marking of underground facilities.

- (1)
 - (a) Within 48 hours of the receipt of the notice required by Section 54-8a-4, the operator shall:
 - (i) mark the location of its underground facilities in the area of the proposed excavation; or
 - (ii) notify the excavator, by telephonic or electronic message or indication at the excavation site, that the operator does not have any underground facility in the area of the proposed excavation.
 - (b) The underground facility shall be marked using as a guideline the then-existing Uniform Color Code and Marking Guidelines, Appendix B, published by the Common Ground Alliance, as amended in the current version of the excavators' guide published by the statewide association established in Section 54-8a-9.
- (2)
 - (a) The operator is not required to mark the underground facilities within 48 hours if:
 - (i) the proposed excavation:
 - (A) is not identified in accordance with Subsection 54-8a-4(2) or is not marked as provided in Subsection 54-8a-4(3);
 - (B) is located in a remote area;
 - (C) is an extensive excavation; or
 - (D) presents other constraints that make it unreasonably difficult for the operator to comply with the marking requirements of this section; or
 - (ii) the operator is not able to readily locate the underground facilities from the surface with standard underground detection devices.
 - (b) If the operator cannot proceed with the marking because of a situation described in Subsection (2)(a), the operator shall contact the excavator within 48 hours after the excavator's notice of excavation or request for a location request assignment made in accordance with Section 54-8a-4 and:
 - (i) request a meeting at the proposed excavation site or some other mutually agreed upon location; or
 - (ii) at the operator's discretion, contact the excavator and request the proposed excavation site be outlined in accordance with Subsection 54-8a-4(3).
 - (c) For a situation described under Subsection (2)(a)(i), the meeting or completed outlining of the proposed excavation site constitutes the beginning of a new 48-hour period within which the operator must begin marking the underground facilities.
 - (d)
 - (i) For the situation described under Subsection (2)(a)(ii), the excavator and operator shall agree on a plan of excavation designed to prevent damage to the operator's underground facility.
 - (ii) Notwithstanding the agreement, the excavator shall proceed in a manner that is reasonably calculated to avoid damage to the underground facility.
 - (e)
 - (i) An operator need not mark or locate an underground facility the operator does not own.
 - (ii) An underground facility under Subsection (2)(e)(i) includes a water or sewer lateral or a facility running from a house to a garage or outbuilding.
 - (f)
 - (i) An operator may mark the location of a known facility connected to the operator's facilities that is not owned or operated by the operator.
 - (ii) Marking a known facility under Subsection (2)(f)(i) imposes no liability on the operator for the accuracy of the marking.

- (3) Each marking is valid for not more than 14 calendar days from the date notice is given.
- (4) If multiple lines exist:
 - (a) the markings must indicate the number of lines; or
 - (b) all lines must be marked.

Amended by Chapter 426, 2011 General Session